IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 10458 of 1995

Between:

S.Vedam, S/o V.Swayambu Iyer,
Tiffin's Barytes Asbestos & Paints Ltd., R/o No.127, Angappa Street, Madras,
Rep by his G.P.A.Holder Mr.Raju.

..... PETITIONER

AND

1 The Controlling Authority Act, under payment of Gratuity Act, 1972 cum-The Asst. Labour Commissioner(Central), ATI CAMPUS, Vidhyanagar, Hyd.
2 P.Subbarayudu

Ex-Workmen, Associated Mineral-Corporation(AMC), Mangampet Post, Agraharam, Railway Kodur,
Cuddapah Dist., A.P.
3 Tiffin's barytes Asbestos & Paints Ltd., rep by S.Vedam, Partner, Andhra Chambers Bldgs,
No.127, Angappa Street, P.B.No.72, Madras.
4 Mr.Madalam Prabhakar, Managing Partner, Associated Mineral Corpt., 22/27, Wakalam street,
Anantapur, A.P.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue notice, call for the records and quash and set aside the impugned order made in case No.48/4/94-E2/E5, dt.31-3-1995 on the file of controlling Authority under payment of gratuity Act of 1972 cum Asst. Labour Commissioner (Central), Hyderabad, by issuing a writ of Certiorari or any other writ or order direction as the Hon'ble court may deem fit and proper in the circumstances of the case and to allow the Writ Petition with costs.

Counsel for the Petitioner: MR.P.NAGESWAR SREE

Counsel for the Respondent No.1: Sri A.Bhaskarachary

Counsel for respondents 2 to 4 : None present

The Court made the following :

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WRIT PETITION NO : 10467 of 1995

Between:

S. Vedam S/o V. Swayambu Iyer
R/o No.127, Angappa Street, Madras, rep. by his G.P.A. HolderMr. G. Raju
R/o Plot No.193, Cheran Street, Ganesh Nagar, Madras-73

..... PETITIONER

AND

1 The Controlling Authority under payment of gratuity act ,197 cum the

Asst. Labour commissioner(central)
ATI Campus, Vidyanagar,
Hyderabad
2 M. Narasimhulu Associated Mineral Corpn. (AMC)
Mangampet Post, Agraharam,
Railway Kodur, Cuddapah Dist.
3 Tiffin's Baryetes Asbestos & Paints Ltd. rep. by S. Vedam, Partner
Andhra Chambers Buildings, No.127, Angappa Street,
Madras-01
4 Mr. Mandalam Prabhakar Associated Mineral Corpn.
22/27, Wakalam Street, Ananthapur, A.P.-515 001

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue notice, call for the records and quash and set aside the impugned order made in Case No.48/15/94-E2/E5, dt: 31-3-1995 on the file of the Controlling Authority under Payment of Gratuity Act of 1972 cum-Asst. Labour Commissioner (Central), Hyderabad, by issuing a writ of certiorari or any other appropriate writ or order or direction as the Hon'ble Court may deem fit and proper in the circumstances of the case and to allow the W.P. with costs

Counsel for the Petitioner: MR.P.NAGESWAR SREE

Counsel for the Respondent No.1: MR.a.BHASKARA CHARY

Counsel for respondents 2 to 4 : None present

The Court made the following :

WRIT PETITION NO : 10468 of 1995

Between:

S. Vedam S/o V. Swayambu Iyer
R/o No.127, Angappa Street, Madras, rep. by GPA Holder Mr. G. Raju,
Plot No.193, Cheran Street, Ganesh Nagar, Madras-73

..... PETITIONER

AND

1 The Controlling Authority UNDER PAYMENT OF GRATUITY

ACT,1972 CUM THE ASST. LABOUR COMMISSIONER
ATI Campus, Vidyanagar,
Hyderabad

2 M. Subbarayudu Associated Mineral Corpn. (AMC)
Mangampet Post, Agraharam, Railway Kodur,
Cuddapah Dist. A.P.

3 Tiffin's Barytes Asbestos Paints Ltd. rep. by S. VEDAM Partner
Andhra Chambers Buildings, No.127, Angappa Street,
Madras-600 001

4 Mr. Madalam Prabhakar Associated Mineral Corpn.
22/27, Wakalam Street, Ananthapur, A.P.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue notice, call for the records and quash and set aside the impugned order made in Case No.48/13/94-E2/E5, dt: 31-3-1995 on the file of the Controlling Authority under Payment of Gratuity Act of 1972 cum-Asst. Labour Commmissioner (Central), Hyderabad, by issuing a writ of certiorari or any other appropriate writ or order or direction as the Hon'ble Court may deem fit and proper in the circumstances of the case and to allow the W.P. with costs

Counsel for the Petitioner: MR.P.NAGESWAR SREE

Counsel for the Respondent No.1: Sri A.Bhaskara Chary

Counsel for respondents 2 to 4: None present

The Court made the following :

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WRIT PETITION NO : 10469 of 1995

Between:

S. Vedam S/o. V. Swayambu Iyer
R/o. No. 127, Angappa Street, Madras, rep. by his G.P.A. Holder Mr. G. Raju, S/o. G. Gopalakrishnan, 45 years,
R/o. Plot No.193, Cheran Street, Ganesh Nagar, MADRAS - 73.

..... PETITIONER

AND

1 The Controlling Authority Under Payment of Gratuity Act, 1972 cum-The Asst. Labour Commissioner (Central) ATI
Campus, Vidyanagar, Hyderabad.
2 K. Chinnapareddy, Ex-workmen, Associated Mineral- Corporation (AMC), Mangampet Post, Agraharam, Railway
Kodur, Cuddapah District, A.P.
3 Tiffin's Barytes Asbestos & Paints Ltd., rep. by S. Vedam, Partner,
Andhra Chambers-Buildings, No.127, Angappa Street, P.B.No.72, Madras - 600 001.
4 Mr. Madalam Prabhakar, Managing Partner, Associated Mineral-Corporation,
22/27, Wakalam Street, Ananthapur,A.P. - 515 001.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue notice, call for the records and quash and set aside the impugned order made in Case No. 48/12/94-E2/E5, dt. 31-3-1995 on the file of the Controlling Authority under Payment of Gratuity Act of 1972 cum-Asst. Labour Commissioner (Central), Hyderabad, by issuing a writ of certiorari or any other appropriate writ or order or direction

Counsel for the Petitioner: MR.P.NAGESWAR SREE

Counsel for the Respondent No.1: Mr.A.Bhaskara Chary

Counsel for the respondents 2 to 4: None present

The Court made the following :

WRIT PETITION NO : 10470 of 1995

Between:

S. Vedam s/o. V. Swayambu Iyer
R/o. No. 127, Angappa Street, Madras, rep. by his G.P.A. Holder Mr. G. Raju, S/o. G. Gopalakrishnan, 45 years,
R/o. Plot No. 193, Cheran Street, Ganesh Nagar, MADRAS - 73.

..... PETITIONER

AND

1 The Controlling Authority Under Payment of Gratuity Act, 1972 cum-The Asst. Labour Commissioner (Central) ATI
Campus, Vidyanagar, Hyderabad.
2 O. SUBBAMMA, , Associated Mineral- Corporation (AMC), Mangampet Post, Agaraharam, Railway Kodur,
Cuddapah District, A.P.
3 Tiffin's Barytes Asbestos & Paints Ltd. rep. by S. Vedam Partner, Andhra Chambers-Buildings, No.127, Angappa
Street, P.B.No.72, Madras - 600 001.
4 Mr. Madalam Prabhakar, , Associated Mineral-Corporation, 22/27, Wakalam Street, Ananthapur
A.P. - 515 001.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue notice, call for the records and quash and set aside the impugned order made in Case No.48/10/94-E2/E5, dt. 31-3-1995 on the file of the Controlling Authority under Payment of Gratuity Act of 1972 cum-Asst. Labour Commissioner (Central), Hyderabad, by issuing a writ of certiorari or any other appropriate writ or order or direction as the Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.P.NAGESWAR SREE

Counsel for the Respondent No.1: Mr.A.Bhaskarachary

Counsel for the respondents 2 to 4: None present

The Court made the following :

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WRIT PETITION NO : 10471 of 1995

Between:

S. Vedam S/o. V. Swayambu Iyer
R/o. No.127, Angappa Street, Madras, rep. by his G.P.A. Holder Mr. G. Raju, S/o. G. Gopalakrishnan, 45 years,
R/o. Plot No.193, Cheran Street, Ganesh Nagar, MADRAS - 73.

..... PETITIONER

AND

1 The Controlling Authority, Under Payment of Gratuity Act, 1972 cum-The Asst., Labour Commissioner (Central) ATI
Campus, Vidyanagar, Hyderabad.
2 K. NAGABHUSHANRAO,Ex-workmen, Associated Mineral- Corporation (AMC), Mangampet Post, Agraharam, Railway Kodur, Cuddapah District, A.P.
3 Tiffin's Barytes Asbestos & Paints Ltd., rep. by S.Vedam,
Andhra Chambers-Buildings, No.217, Angappa Street, P.B.No.72, Madras - 600 001.
4 Mr. Madalam Prabhakar, Managing Partner, Associated Mineral-Corporation, 22/27, Wakalam Street, Ananthapur A.P - 515 001.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue notice, call for the records and quash and set aside the impugned order made in Case No.48/5/94-E2/E5, dt. 31-3-1995 on the file of the Controlling Authority under Payment of Gratuity Act of 1972 cum - Asst. Labour Commissioner (Central), Hyderabad, by issuing a writ of certiorari or any other appropriate writ or order or direction as the Hon'ble court may deem fit and proper in the circumstances of the case and to allow the writ petition with costs.

Counsel for the Petitioner: MR.P.NAGESWAR SREE

Counsel for the Respondent No.1: Mr.A.Bhaskarachary

Counsel for respondents 2 to 4: None present

The Court made the following :

WRIT PETITION NO : 10472 of 1995

Between:

S.Vedam S/o.V.Swayambu Iyer
Tiffin's Barytes Asbestos & Paints Ltd., R/o.No.127,Angappa Street,Madras
Rep.by his G.P.A.Holder Mr.G.Raju,S/o.G.Gopalakrishnan age-45,R/o.plot.No.193,Cheran Street,Genesh Nagar,madras

..... PETITIONER

AND

1 The Controlling Authority under Payment of Gratuity Act,1972 cum-The Asst.Labour Commissioner (Cental)
ATI camnpus Vidyanagar
Hyderabad.
2 Akula Subbamma,Ex-Workmen,Associated Mineral Corporation (AMC),Management Post
Agraharam,Railway Kodur Cuddapah Dist
A.P.
3 Tiffin's Bartyas Asbestos & Painters Ltd., Rep.by its S.Vedam,Partner,Andhra Chambers Buildings
No.127,Angappa Street P.B.No.72,
Madras.
4 Mr.Madalam Prabhakar
Associated Mineral-Corporation,22/27,Wakalam Street Ananthapur
A.P

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue notice, call for the records and quash and set aside the impugned order made in Case No.48/8/94-E2/E5, dt.31-3-1995 on the file of Controlling Authority, under payment of Gratuity Act of 1972 cum-Asst.Labour Commissioner (Central), Hyderabad, by issuing a Writ of Certiorari or any other appropriate wRit, order or direction as the Hon'ble Court may deem fit and proper in the circumstances of the and to allow the writ petition with costs

Counsel for the Petitioner: MR.P.NAGESWAR SREE

Counsel for the Respondent No.1: Mr.A.Bhaskara Chary

Counsel for respondents 2 to 4: None present

The Court made the following :

COMMON ORDER:

Learned counsel for the petitioners submits that these seven writ petitions form part of a batch of writ petitions challenging the order of the Controlling Authority under the Payment of Gratuity Act, 1972. One such writ petition No.10459 of 1995 is stated to have been dismissed by this Court by order dated 30-9-2004 leaving it open to the petitioner to approach the appellate authority under the Payment of Gratuity Act.

Therefore, these writ petitions are dismissed in terms of the judgment in W.P.No.10459 of 1995 dated 30-9-1994 leaving it open to the petitioner to prefer an appeal to the Deputy Commissioner of Labour under sub-section (7) of Section 7 of the Payment of Gratuity Act, 1972. Needless to state that in case an appeal is filed, this order shall not be construed by the appellate authority as an order condoning the delay in preferring the appeal and the matter will be decided on its own merits uninfluenced by the observations made herein.

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10-6-2005

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To:

1. The Controlling Authority Act, under payment of Gratuity Act, 1972 cum-
   The Asst. Labour Commissioner(Central), ATI CAMPUS, Vidhyanagar,Hyd.

2. TwoC.D.copies